

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JERELL CHRISTOPHER,

Plaintiff,

v.

JOHN DOE POLICE OFFICERS and  
OFFICER RODRIGUEZ,

Defendants.

Civil Action No. 24-10554 (SDW) (JBC)

**WHEREAS OPINION**

February 4, 2025

**THIS MATTER** having come before this Court upon *pro se* Plaintiff Jerell Christopher's ("Plaintiff") Amended Complaint (D.E. 6 ("Amended Complaint")), and this Court having reviewed the Amended Complaint for sufficiency pursuant to Federal Rule of Civil Procedure 8(a) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009); and

**WHEREAS** this Court previously entered an order allowing Plaintiff to proceed in this action *in forma pauperis* (D.E. 5); and

**WHEREAS** this Court must dismiss a case that is frivolous, "fails to state a claim upon which relief may be granted," or "seeks monetary relief against a defendant who is immune from such relief." 28 U.S.C. §§ 1915(a)(1), (e)(2)(B); *see Shorter v. United States*, 12 F.4th 366, 374 (3d Cir. 2021); and

**WHEREAS** the original Complaint in this action (D.E. 1) was dismissed without prejudice for failure to state a claim upon which relief can be granted in an Opinion and Order dated December 17; and

**WHEREAS** Plaintiff filed the Amended Complaint within the 30-day period provided for in this Court's Order; and

**WHEREAS** pursuant to Federal Rule of Civil Procedure 8(a), "[a] pleading that states a claim for relief must contain: (1) a short and plain statement of the grounds for the court's jurisdiction . . . ; (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought." Fed. R. Civ. P. 8(a). The complaint must apprise the defendant with "fair notice of what the claim is and the grounds upon which it rests," containing "more than labels and conclusions." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)).; and

**WHEREAS** this Court is satisfied that Plaintiff's Amended Complaint is not defective on its face; therefore

Plaintiff's Amended Complaint shall be deemed filed and Plaintiff will be permitted to effect service on defendants using the USM-285 form. An appropriate order follows.

/s/ Susan D. Wigenton  
**SUSAN D. WIGENTON, U.S.D.J.**

Orig: Clerk  
cc: Parties  
James B. Clark, U.S.M.J.